



Attorney's Docket No.: 42390.P6532C

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard L. Maliszewski

Application No. 09/764,725

Filed: January 17, 2001

For: Method And Apparatus To  
Test An Instruction Sequence

Examiner: Kiss, Eric B.

Art Unit: 2192

**FIRST CLASS CERTIFICATE OF MAILING**

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June 27, 2005

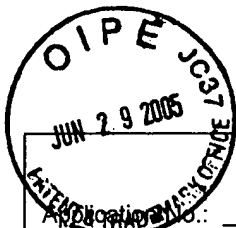
Date

Trina Chau

Mail Stop Amendment AF  
Commissioner For Patents  
Alexandria, V.A. 22313-1450

**AMENDMENT & RESPONSE AFTER FINAL UNDER 37 C.F.R. § 1.116**

In response to the Office action of April 25, 2005, please amend the above-identified application as follows. Amendments to the Claims begin on page 2 of this response. Remarks/Arguments begin on page 8 of this response.



AF ZZW

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 09/764,725  
Filing Date: 01/17/2001  
First Named Inventor: Richard L. Maliszewski  
Examiner's Name: Eric B. Kiss  
Art Unit: 2192  
Attorney Docket No.: 42390.P6532C

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☒ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS) with 1449 form and cited references.
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Judith A. Szepesil

SIGNATURE: \_\_\_\_\_

REG. NO.: 39,383

DATE: June 27, 2005

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Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

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(10/14/03)

**FEE TRANSMITTAL FOR FY 2005**

Effective on 08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) \$00.00

Complete if Known:

Application No. 09/764,725  
Filing Date 01/17/2001  
First Named Inventor Richard L. Maliszewski  
Examiner Name Eric B. Kiss  
Art Unit 2192  
Attorney Docket No. 42390.P6532C

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)☐ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	} 1,000/500	<u>\$00.00</u>
1111	500	2111	250	Utility search fee		<u>\$00.00</u>
1311	200	2311	100	Utility examination fee		<u>\$00.00</u>
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1)						<u>\$ 00.00</u>

**2. EXCESS CLAIM FEES**

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
<b>Total Claims</b> <u>13</u> - 20 or HP = <u>0</u>		X <u>\$50.00</u>	= <u>00.00</u>
HP = highest number of total claims paid for, if greater than 20			
<b>Independent Claims</b> <u>4</u> - 3 or 4 = <u>0</u>		X <u>\$200.00</u>	= <u>00.00</u>
HP = highest number of independent claims paid for, if greater than 3			
<b>Multiple Dependent Claims</b>			= <u>          </u>

<u>Large Entity</u>		<u>Small Entity</u>		
Code	Fee (\$)	Code	Fee (\$)	Fee Description
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 00.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
<u>          </u>	- 100 = <u>          </u>	/ 50 = <u>          </u> (round up to whole number)	X <u>\$250.00</u>	<u>          </u>

<u>Large Entity</u>		<u>Small Entity</u>		
Code	Fee (\$)	Code	Fee (\$)	Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 00.00

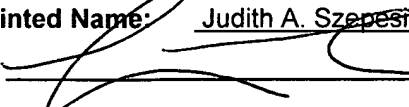
**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<u>Fees Paid (\$)</u>
Non-English Specification, \$130 fee (no small entity discount)				
<u>Large Entity</u>				
Fee	Fee	<u>Small Entity</u>		
Code	(\$)	Code	(\$)	
1051	130	2051	65	
1052	50	2052	25	
1053	130	1053	130	
1812	2,520	1812	2,520	
1813	8,800	1813	8,800	
1804	920*	1804	920*	
1805	1,840*	1805	1,840*	
1251	120	2251	60	
1252	450	2252	225	
1253	1,020	2253	510	
1254	1,590	2254	795	
1255	2,160	2255	1,080	
1401	500	2401	250	
1402	500	2402	250	
1403	1,000	2403	500	
1451	1,510	1451	1,510	
1452	500	2452	250	
1453	1,500	2453	750	
1501	1,400	2501	700	
1502	800	2502	400	
1503	1100	2503	550	
1462	400	1462	400	
1463	200	1463	200	
1464	130	1464	130	
1807	50	1807	50	
1806	180	1806	180	
8021	40	8021	40	
1809	790	2809	395	
1814	130	2814	65	
1810	790	2810	395	
1801	790	2801	395	
1802	900	1802	900	
1504	300	1504	300	
1505	300	1505	300	
1803	130	1803	130	
1808	130	1808	130	
1454	1,370	1454	1,370	
Other fee (specify) _____				
Other fee (specify) _____				
<b>SUBTOTAL (4) \$ 00.00</b>				

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Judith A. Szepesi

Signature:  Date: June 27, 2005

Reg. Number: 39,393 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450